



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon FAICP
Director of Planning

May 14, 2007

Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**SUBJECT: HEARING ON ORDINANCE EXTENDING AND AMENDING INTERIM
ORDINANCE NO. 2006-0050U WHICH TEMPORARILY REGULATES
OIL WELL DRILLING OF A-2 AND M-1 ½ ZONED PROPERTY IN
UNINCORPORATED BALDWIN HILLS ZONED DISTRICT IN THE
COUNTY OF LOS ANGELES
(4 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

Adopt the extension of Interim Ordinance No. 2006-0050U for a period of one year, as amended to prohibit the drilling of new wells and the deepening of existing wells, with limited exceptions, in the Baldwin Hills Zoned District.

PURPOSE OF RECOMMENDED ACTION:

On June 27, 2006, the Board of Supervisors adopted Interim Ordinance No. 2006-0050U temporarily imposing a requirement for site plan approval with additional conditions to drill any new oil well or deepen any existing well on A-2 and M-1 ½ zoned properties in the Baldwin Hills Zoned District, and directed the Department of Regional Planning to prepare a zoning study to help identify appropriate permanent regulations. The Board found it necessary to adopt the interim ordinance to respond to concerns from the surrounding community that recent increased oil production operations were creating visual intrusions and noxious odors that have a negative effect on the surrounding community.

On August 8, 2006, the Board of Supervisors conducted a public hearing and adopted Interim Ordinance No. 2006-0064 extending Interim Ordinance No. 2006-0050U for ten months and 15 days to allow sufficient time for the Department of Regional Planning to complete the zoning study and develop recommendations for appropriate permanent

regulations of oil and gas production operations in the Baldwin Hills Zoned District. This extension will expire on June 26, 2007.

The Department of Regional Planning (DRP) has researched various means for establishing development regulations to address the conditions unique to this particular oil field and has determined that the establishment of a Community Standards District (CSD) would be the most appropriate technique for regulating oil field operations in the Baldwin Hills Zoned District. The CSD will define the boundary of the oil field and establish permanent development standards, operating requirements and procedures for the defined oil field.

In March 2007, Plains Explorations and Production Company (PXP) submitted an application to the DRP to establish a CSD. The DRP has also entered into a three-party agreement with PXP and Marine Research Specialists, the Environmental Impact Report (EIR) consultant, to prepare an EIR for the CSD. The EIR will evaluate existing and future oil operations in the Baldwin Hills for the purpose of establishing appropriate standards and regulations in the CSD. Initial steps have been taken toward the development of the CSD and EIR, including meetings with the community to discuss the issues.

JUSTIFICATION OF RECOMMENDED ACTION:

The interim ordinance adopted by your Board on June 27, 2006 and extended on August 8, 2006 will expire on June 26, 2007, unless extended by Board action. Development of the CSD for the portion of the oil field located in the Baldwin Hills Zoned District and the accompanying EIR is currently underway. The EIR consultant is in the process of compiling data and initiating the necessary studies. Additional time is needed to allow the DRP and the EIR consultant to complete the CSD and the EIR and for the Regional Planning Commission and the Board of Supervisors to hold public hearings and consider adoption of the CSD and/or other appropriate zoning measures.

Since the adoption of Interim Ordinance No. 2006-0050U, the DRP has reviewed and approved 56 new wells through the required site plan approval process. Of those 56 new wells, over 25 have already been drilled. Despite the additional restrictions and development standards contained in the interim ordinance, complaints about odor, noise and vibration are still prevalent. Many of the participants at an April 4, 2007 community meeting expressed concern about the increase in oil facility activity and the continued odor and noise impacts. Staff from the Department of Regional Planning also recently made a brief presentation at a local homeowners association meeting, where residents also expressed concern that the urgency measure was not adequately addressing the continued odor, noise and vibration impacts on the surrounding community. Unless the urgency measure is extended and amended to impose a prohibition on the drilling of new wells and deepening of existing wells, the drilling of

additional wells may continue to negatively impact the quality of life for nearby residents due to the possibility of continued odor occurrences and noise impacts.

ADDITIONAL FACTS AND LEGAL REQUIREMENTS:

Pursuant to Section 65858 of the Planning and Zoning Law (Title 7 of the California Government Code), Interim Urgency Ordinance No. 2006-0050U was adopted by the Board of Supervisors on June 27, 2006 and extended to June 26, 2007 by Interim Ordinance No. 2006-0064U. The interim ordinance and the first extension ordinance temporarily imposed additional development standards and restrictions on the drilling of any new wells or deepening of existing wells, and required site plan approval from the DRP. The second extension ordinance would prohibit the drilling or deepening of additional oil wells on A-2 or M-1 ½ zoned property in the Baldwin Hills Zoned District, with limited exceptions. Wells that received site plan approval from the DRP, any necessary permits from the County and approval from the Division of Oil, Gas and Geothermal Resources and that have commenced drilling or deepening of wells prior to June 26, 2007 would be exempt from the prohibition.

The provisions of Section 65858 limit the first extension period of Interim Urgency Ordinance No. 2006-0050U to ten months and 15 days. In view of the approaching June 26, 2007 expiration date, it is recommended that the Interim Ordinance, as amended, be extended for one year as provided in Section 65858. The extension and proposed amendment will prevent a lapse of interim provisions prior to the completion of the EIR and the adoption and implementation of a CSD or other zoning measures to permanently establish enhanced development standards and regulations to address the compatibility and public health, safety and welfare concerns associated with operating an oil field in the Baldwin Hills Zone District and the resulting impacts on the surrounding communities. As noted above, if Interim Urgency Ordinance No. 2006-0050U is not extended and amended, oil well drilling and deepening of existing wells will continue without the benefit of additional regulations that could minimize the negative effects on the surrounding community of increased oil and gas production. These effects could compromise the public health, safety and general welfare of those who live and work in the surrounding area.

Extension and amendment of the interim ordinance requires that the Board conduct a public hearing at which time the ordinance extending Interim Urgency Ordinance, as amended, may be adopted by not less than a four-fifths vote. Publication of a notice of this public hearing must take place not less than ten (10) days prior to the hearing date, as required. In addition, notices of this public hearing will be mailed to all property owners in the Baldwin Hills Zoned District and within 1,000 feet of the District boundary, to property owners in the Blair Hills community of Culver City, to property owners on the western side of Valley Ridge Avenue in the View Park Zone District, and other interested persons and organizations.

The proposed ordinance, extending Interim Urgency Ordinance No. 2006-0050U, as amended, has been reviewed by County Counsel and is attached. A suggested notice of public hearing is also attached. If you have any questions, please contact me or Maria Masis of my staff at (213) 974-6425.

Respectfully submitted,

DEPARTMENT OF REGIONAL PLANNING



Bruce W. McClendon, FAICP
Director of Planning

Attachments:

1. Sample public hearing notice
2. Ordinance

BWM:RDH:MM:sfr

**NOTICE OF PUBLIC HEARING
ON PROPOSED ORDINANCE EXTENDING
INTERIM ORDINANCE NO. 2006-0050U
AND INTERIM ORDINANCE NO. 2006-0064U**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Supervisors, in Room 381B of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California at 1:00 p.m., on May 29, 2007, pursuant to Government Code Section 65858, to hear testimony related to the proposed ordinance extending Interim Ordinance No. 2006-0050U and Interim Ordinance No. 2006-0064U for a period not to exceed one year as provided in Government Code Section 65858.

Said Interim Urgency Ordinance temporarily places additional regulations on oil and gas production operations in the Baldwin Hills Zoned District than those contained in the initial interim ordinance and its first extension. The proposed interim ordinance would prohibit the drilling of new wells and deepening of existing wells, with limited exceptions.

The Interim Urgency Ordinance is applicable to all properties zoned Heavy Agricultural (A-2) or Restricted Heavy Manufacturing (M-1½) located within the Baldwin Hills Zoned District.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call the Community Studies I Section of the Los Angeles County Department of Regional Planning at (213) 974-6425 between 7:30 a.m. and 6:00 p.m., Monday through Thursday. The offices are closed on Fridays.

“ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternative format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (voice) or (213) 617-2292 (TDD), with at least three business days notice.”

Si no entiende este aviso o necesita mas información, por favor llame este numero (213) 974-6425.



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

May 10, 2007

TELEPHONE
(213) 974-1930
FACSIMILE
(213) 687-7337
TDD
(213) 633-0901

Bruce McClendon, Director
Department of Regional Planning
1390 Hall of Records
320 West Temple Street
Los Angeles, California 90012

Re: Extension of Interim Ordinance No. 2006-0050U

Dear Mr. McClendon:

As requested, enclosed are the analysis and ordinance extending Interim Ordinances No. 2006-0050U and No. 2006-0064U for a maximum period of one year to June 26, 2008. Interim Ordinance No. 2006-0050U, adopted on June 27, 2006, and extended by Interim Ordinance No. 2006-0064U to June 26, 2007, temporarily imposes additional development standards and restrictions on the drilling of any new oil wells or deepening of existing oil wells upon any property zoned A-2 or M-1½ located within the Baldwin Hills Zoned District. Interim Ordinance No. 2006-0050U and Interim Ordinance No. 2006-0064U are scheduled to expire on June 26, 2007, unless extended pursuant to Government Code section 65858.

This second extension ordinance would not only extend but modify the initial urgency ordinance by placing a moratorium on drilling new wells or deepening wells in the affected area and prohibiting issuance of permits therefor.

We understand that this extension ordinance is set for public hearing before the Board of Supervisors on May 29, 2007.

Bruce McClendon, Director
May 10, 2007


Page 2

The ordinance and its analysis may be presented to the Board of Supervisors for its consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By

(for) 
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:di

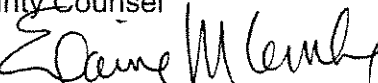
Enclosures

ANALYSIS

This ordinance extends and modifies Interim Ordinance No. 2006-0050U, as previously extended by Interim Ordinance No. 2006-0064U, for a period of one year to June 26, 2008. These interim ordinances temporarily impose additional development standards and restrictions on the drilling of any new oil wells or deepening of existing oil wells upon any property zoned A-2 or M-1½ located within the Baldwin Hills Zoned District, and require a site plan review and approval by the Director of Regional Planning. This second extension ordinance would prohibit the drilling or deepening of additional oil wells on A-2- or M-1½-zoned property within the Baldwin Hills Zoned District for an additional one year extension period, with limited exceptions. Interim Ordinance No. 2006-0050U, as extended by Interim Ordinance No. 2006-0064U, is scheduled to expire on June 26, 2007, unless extended pursuant to Government Code section 65858.

This extension ordinance is an urgency measure and requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption.

RAYMOND G. FORTNER, JR.
County Counsel

By 
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:di

5/8/07 (requested)

5/8/07 (revised)

ORDINANCE NO. _____

An ordinance extending and modifying Interim Ordinance No. 2006-0050U, as previously extended by Interim Ordinance No. 2006-0064U, temporarily regulating the use of Heavy Agricultural (A-2) and Restricted Heavy Manufacturing (M-1½) zoned property in the Baldwin Hills Zoned District and declaring the urgency thereof and that this ordinance take effect on June 26, 2007.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Interim Prohibition.

Pursuant to section 65858 of the Government Code, the Board of Supervisors, having held a public hearing, hereby extends and modifies Interim Ordinance No. 2006-0050U, as previously extended by Interim Ordinance No. 2006-0064U, to June 26, 2008. Interim Ordinance No. 2006-0050U and Interim Ordinance No. 2006-0064U provided that, unless a site plan was first submitted and approved by the Director of Regional Planning in accordance with the provisions of Title 22 of the County Code and the conditions enumerated in the initial and first-extended interim urgency ordinances were complied with, no new oil wells could be drilled or existing wells deepened upon any property that is both: (1) within the geographical area of the Baldwin Hills Zoned District as identified in Section 22.16.230 of Title 22 of the Los Angeles County Code ("County Code"); and (2) zoned A-2 or M-1½ as defined in Title 22 of the County Code.

Pursuant to this second extension of the urgency ordinance, from and after the date it takes effect, no subdivision, use permit, variance, building permit, site plan, or any other entitlement for use shall be approved or issued for drilling new oil wells or deepening existing wells on either A-2 or M-1½ zoned property in the Baldwin Hills Zoned District, and, no new wells shall be drilled or existing wells deepened.

Notwithstanding the above, exempted from this prohibition are the drilling of new wells or the deepening of existing wells for which: 1) final site plan approval and any additional permits required for the drilling or deepening of wells were obtained from the County; 2) any necessary approvals from the California Department of Conservation, Division of Oil, Gas and Geothermal Resources were obtained; and 3) well drilling or well deepening has already commenced, all prior to June 26, 2007. Any such exempt wells shall be drilled or deepened in compliance with their approvals, permits, and applicable regulations including the conditions applying to oil wells set forth in Section 22.24.120.D of Title 22 of the County Code and the conditions set forth in Interim Ordinance No. 2006-0050U, as extended by Interim Ordinance No. 2006-0064U.

SECTION 2. Adoption and Expiration of Interim Ordinance; Authority.

Interim Ordinance No. 2006-0050U was adopted on June 27, 2006, and was subsequently extended for 10 months and 15 days by Interim Ordinance No. 2006-0064U. Unless this second-extension ordinance takes effect on or before June 26, 2007, Interim Ordinance No. 2006-0050U, as extended by Interim Ordinance No. 2006-0064U, will expire. California Government Code section 65858 provides that an urgency measure in the form of an Interim Ordinance may be adopted without prior

public notice by a four-fifths vote of the Board of Supervisors, which shall be effective for only 45 days following its date of adoption. Government Code section 65858 further provides that such an urgency measure may be extended following compliance with that section for an additional 10 months and 15 days beyond the original 45-day period, and it may be extended a second time for one additional year with a second extension ordinance.

SECTION 3. Definitions and Penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the County Code shall apply to violations of the provisions of this extended interim ordinance.

SECTION 4. Zoning Study Initiated; Determination of immediate threat.

The Los Angeles County Department of Regional Planning has commenced a comprehensive zoning study and the preparation of an environmental impact report to review the potential impacts associated with the establishment of a community standards district or other permanent zoning ordinance concerning oil well drilling and oil field operations in the Baldwin Hills Zoned District. This effort is expected to be completed in approximately one year. Since the adoption of Interim Ordinance No. 2006-0050U on June 27, 2006, and its extension by Interim Ordinance No. 2006-0064U, over 25 oil wells have been drilled in the Baldwin Hills Zoned District subject to the provisions of the interim ordinances. Despite the restrictions and development standards contained in these interim ordinances, a number of complaints related to noise, odors, and vibration by nearby residents have been made to the

County relating to oil well operations in the affected area. Consequently, the Board of Supervisors determines that it is necessary to modify the existing restrictions imposed by the interim ordinances to protect the public health and safety. A prohibition on the drilling or deepening of wells will allow the County time to complete its environmental and other review for a possible community standards district or other permanent zoning ordinance for the Baldwin Hills Zoned District to appropriately regulate oil field operations and drilling.

Drilling of additional wells or deepening of existing wells may negatively impact the quality of life for nearby residents due to the possibility of further odor occurrences and releases of noxious gases as well as other potential adverse impacts including noise, visual, traffic, and vibration impacts. Unless this second-extended interim ordinance is approved, an irreversible incompatibility of land uses might reasonably occur as a result of the drilling or deepening of new wells in the affected area, all to the detriment of the public health, safety, and welfare. Accordingly, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the drilling or deepening of new wells and the approval of any additional subdivisions, use permits, variances, building permits, site plans, or any other applicable entitlements for use in connection therewith would result in that threat to the public health, safety, and welfare. If this ordinance does not take effect on June 26, 2007, new oil wells may be drilled or existing oil wells deepened that might conflict with any permanent amendment to Title 22 of the County Code for the Baldwin

Hills Zoned District that may be adopted as a result of the zoning study and environmental review process currently underway, and these uses may continue after any permanent re-zoning of the properties in the Baldwin Hills Zoned District.

SECTION 5. Severability.

If any provision of this interim ordinance extension or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the extended interim ordinance are hereby declared to be severable.

SECTION 6. Urgent Need.

This interim ordinance extension is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall become effective on June 26, 2007, and it shall be of no further force and effect one year following the date it became effective in accordance with the provisions set forth in Government Code section 65858, unless earlier repealed.

[BaldwinHillsUrgOrdExt]